

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

PATTI JO GRAW,

Plaintiff,

v.

ELI LILLY AND COMPANY, et al.,

Defendants.

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No. 4:25-CV-1033 RWS

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff Patti Jo Graw's response to the Court's Order dated July 15, 2025. ECF No. 4. In the Order, *see* ECF No. 3, the Court directed Plaintiff to show cause as to why this action should not be dismissed for lack of subject matter jurisdiction. Plaintiff acknowledges in her response brief that she is unable to maintain diversity jurisdiction under the current complaint. ECF No. 4 at 1. Plaintiff therefore seeks to amend her complaint to voluntarily dismiss Defendant Study Metrix Research, LLC, and to clarify her claims against Defendant Eli Lilly and Company. *Id.* Plaintiff's request to amend her complaint will be granted. Plaintiff is required to submit an amended complaint on a Court-provided Civil Complaint form no later than twenty-one (21) days from the date of this Order. *See* Local Rule 2.06(A).

Instructions for Amending the Complaint

The filing of an amended complaint completely replaces the original complaint, so Plaintiff must include in the amended complaint every claim she wishes to pursue. *See, e.g., In re Wireless Tel. Fed. Cost Recovery Fees Litig.*, 396 F.3d 922, 928 (8th Cir. 2005). Any claims from the original complaint that are not included in the amended complaint will be deemed abandoned. *Id.* The allegations may not be conclusory, and they must show how each Defendant is personally

involved in or directly responsible for the alleged harm. All of Plaintiff's claims should be clearly set forth in the "Statement of Claim."

If Plaintiff fails to file an amended complaint that complies with this Court's instructions within twenty-one (21) days, this action will be dismissed without prejudice and without further notice.

Accordingly,


IT IS HEREBY ORDERED that Plaintiff's request to amend her complaint [ECF No. 4] is **GRANTED**.

IT IS FURTHER ORDERED that the Clerk of Court shall mail to Plaintiff a copy of the Court's Civil Complaint form.

IT IS FURTHER ORDERED that, within twenty-one (21) days of the date of this Order, Plaintiff shall file an amended complaint on the Court's Civil Complaint form in compliance with the Court's instructions. Plaintiff shall type or print on the Court-form when filing her amended complaint.

IT IS FINALLY ORDERED that Plaintiff's failure to timely comply with this Order shall result in the dismissal of this action, without prejudice and without further notice.

Dated this 30th day of July, 2025.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE